CF0000087956

Checked & Verified, 2013

(2)

Single Bench (Criminal)

IN THE HIGH COURT OF JUDICATURE AT JABALPUR M.P.

CRIMINAL REVISION NO. 630 ----of 2000

Appellant.
(In Jail). ::: Mahendra Sonwani, aged about 32 years son of Laharuram Occupation-Agriculture, R/o Jatari, P.S. Pusour, Distt: Raigarh M.P.

(4665)

Filed on 3/5/2000
by Shri O.P. Marshan Advocate

Versus.

Respondents. ::: The State of M.P.
Through the District Magistrate,
Raigarh. M.P.

CRIMINAL REVISION UNDER SECTION 397/401 OF THE CODE OF CRIMINALPROCEDURE.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर (23)

आदेश पत्रक

मामला क्रमांक G.Rev.630/ सन् 2000

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	08.05.2002 Shri Shivraj Singh, counsel for the applicant. Miss Sharmila Singhai, Deputy Govt. Advocate for the respondent / State. Shri H.S.Patel, counsel for the complainant. Heard. The applicant was an accused in Criminal Case No.25/96 on file of the Judicial Magistrate First Class, Raigarh. He was convicted by the learned Magistrate under Section 325 of I.P.C. and sentenced to undergo R.I. for one year and to pay a fine of Rs.500/-, in default of payment of fine to further undergo S.I. for one month. Thereafter, the applicant filed Criminal Appeal No.197/1999 on the file of the Sessions Judge, Raigarh. The learned Sessions Judge modified the conviction and sentence and convicted the applicant for the offence punishable under Section 323 of I.P.C. and sentenced to undergo R.I. for six months and to pay a fine of Rs.500/-, in default of payment of fine to further	

[पीछे देखिये

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक Cr.Rev.630/ सन् 2000

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

undergo S.I. for one month. It is this order of the learned Sessions Judge that is challenged by the applicant in this revision petition.

The applicant and the complainant - Jotram Chouhan have filed this application I.A.No.391/2002, wherein they have stated as follows:-

> "That, the injured Jotram Chouhan was assaulted by the petitioner on 03.03.96 at about 5.00 p.m. in village Jatari, near the house of one Shyamlal.
>
> That, the petitioner was convicted by the trial Court for having committed offence punishable under Section 323 of I.P.C. and the sentence has been confirmed in appeal.
>
> That, the petitioner and the injured are residents of the same village. The incident had taken place about 6½ years back and by lapse of time the petitioner and the injured have again developed acquaintance and good relation. The petitioner has felt his mistake and has requested the injured for composition of

[पीछे देखिये

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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मामला क्रमांक G.Rev.630/ सन् 2000

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

offence which has been accepted by the injured for the purpose of maintaining lasting relation.

That, in the facts and circumstances of the case, the petitioner and the injured pray for recording the compromise and acquittal of the petitioner."

It is submitted by both the counsel that they have signed this application and the applicant & complainant have also singed this application. The applicant and the complainant are present before the Court. They have been identified by the advocates appearing for them and the advocates submitted that they have compromised the matter. The parties have also submitted that they have compromised the matter.

In the circumstances, I.A.No.391/2002 filed by the applicant and the complainant has to be allowed and it is allowed. In view of this compromise, the order of conviction and sentence passed on the applicant by the learned Magistrate and modified by the learned Sessions Judge are to be set aside and they are set aside.

[पीछे देखिये

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक Cr.Rev.630/ सन् 2000

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -4-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Subbu/Soma	The applicant stands acquitted of the charge under Section 323 of I.P.C. The revision petition stands disposed of. Sd/- Chief Justice	